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OF SOUTH WEST AFRICA

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VAN SUIDWES-AFRIKA



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## DRAFT ORDINANCE

## ONTWERPORDONNANSIE

The following Draft Ordinance is published for general information.

H. P. F. GOUS,  
*Secretary for South West Africa.*

Administrator's Office,  
Windhoek.

Die volgende Ontwerpordonnansie word vir algemene inligting gepubliseer.

H. P. F. GOUS,  
*Sekretaris van Suidwes-Afrika.*

Kantoor van die Administrateur,  
Windhoek.

## GENERAL EXPLANATORY NOTE:

[            ] Words in square brackets indicate omissions proposed.

\_\_\_\_\_ Words underlined with solid line indicate insertions proposed.

**DRAFT ORDINANCE**

To amend the Town Planning Ordinance, 1954, so as to make provision that the requirements which are to be met in the case of an original town planning scheme may be relaxed in the case of a variation thereof; and to further regulate the ways of service of a prohibition on the erection of buildings.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, as follows:—

Amendment of section 27 of Ordinance 18 of 1954.

1. Section 27 of the Town Planning Ordinance, 1954 (hereinafter referred to as the principal Ordinance), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) An approved scheme may be varied, otherwise than by way of extension of the area to which the scheme applies, or it may be revoked, by a subsequent scheme prepared and approved in accordance with this Ordinance and any regulations made thereunder: Provided that the Executive Committee may, at the request of the local authority or joint committee, as the case may be, in respect of any such variation or revocation, grant exemption from compliance with the provisions of sections 7(2) and 15, subject to such conditions as the Executive Committee may deem necessary.”

Amendment of section 48A of Ordinance 18 of 1954, as inserted by section 6 of Ordinance 11 of 1973, and substituted by section 1 of Ordinance 23 of 1973.

2. Section 48A of the principal Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) If the Executive Committee after consultation with the board is of the opinion that the steps taken or intended to be taken in connection with the erection of a building or buildings on any land, other than for *bona fide* farming operations, form or are likely to form the nucleus of a township, it may, notwithstanding the provisions of any other law, [in writing] prohibit the erection of any such building or buildings on such land by causing a suitable notice to owners of such land to be published in two consecutive editions of the *Official Gazette* and once a week for two consecutive weeks in an Afrikaans and in an English newspaper circulating in the district in which the land is situated, and where the address of an owner of such

## ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde tussen vierkantige hake dui aan skrapings voorgestel.

\_\_\_\_\_ Woorde met 'n volstreep daaronder dui aan invoegings voorgestel.

## ONTWERPORDONNANSIE

Tot wysiging van die Dorpsbeplanningsordonnansie 1954 ten einde daarvoor voorsiening te maak dat die voorskrifte wat nagekom moet word in die geval van 'n oorspronklike dorpsbeplanningskema, verslap kan word in die geval van 'n wysiging daarvan; en om die wyse van betekening van 'n verbod op die oprigting van geboue verder te reël.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika VERORDEN SOOS VOLG:—

1. Artikel 27 van die Dorpsbeplanningsordonnansie 1954 (hieronder die Hoofordonnansie genoem), word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 27 van Ordonnansie 18 van 1954.

“(1) 'n Goedgekeurde skema kan op 'n ander wyse as deur uitbreiding van die gebied waarvoor dit geld, verander word, of kan ingetrek word, en wel deur 'n later skema wat ooreenkomstig hierdie ordonnansie of daaruitvloeiende regulasies ontwerp en goedgekeur is: Met dien verstande dat die Uitvoerende Komitee, op versoek van die plaaslike bestuur of gesamentlike komitee, na gelang, ten opsigte van enige sodanige verandering of intrekking, vrystelling kan verleen van voldoening aan die bepalings van artikels 7(2) en 15, onderworpe aan die voorwaardes wat die Uitvoerende Komitee nodig ag.”

2. Artikel 48A van die Hoofordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 48A van Ordonnansie 18 van 1954, soos ingevoeg deur artikel 6 van Ordonnansie 11 van 1973 en vervang deur artikel 1 van Ordonnansie 23 van 1973.

“(1) As die Uitvoerende Komitee na oorleg met die raad meen dat die stappe wat gedoen is of beoog word in verband met die oprigting van 'n gebou of geboue op enige grond, buiten vir *bona fide* boerderybedryghede die kern van 'n dorp uitmaak of waarskynlik sal uitmaak, kan hy nieetenaande die bepalings van enige ander wet, die oprigting van enige sodanige gebou of geboue op sodanige grond [skriftelik verbied] verbied deur 'n gepaste kennisgewing aan eienaars van sodanige grond in twee opeenvolgende uitgawes van die Offisiële Koerant en eenmaal per week vir twee agtereenvolgende weke in 'n Afrikaanse en in 'n Engelse nuusblad wat in omloop is in die distrik waarin die grond gelee is, te laat publiseer en waar die adres van 'n eenaar van sodanige grond

land is known, by causing a suitable written notice to be sent to his address by certified mail."

Date of commencement of section 2.

3. Section 2 of this Ordinance shall be deemed to have come into operation on 1 December 1976.

Short title.

4. This Ordinance shall be called the Town Planning Amendment Ordinance, 1977.

ORDINANCE

Enacted by the Council of the Government of the State of Kerala, in exercise of the powers conferred by section 2 of the Town Planning Act, 1956, in relation to the Town Planning Ordinance, 1976, as amended, that the said Ordinance shall be deemed to have come into operation on the first day of December, 1976.

Enacted by the Council of the Government of the State of Kerala, in exercise of the powers conferred by section 2 of the Town Planning Act, 1956, in relation to the Town Planning Ordinance, 1976, as amended, that the said Ordinance shall be deemed to have come into operation on the first day of December, 1976.

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bekend is, 'n gepaste skriftelike kennisgewing per gesertifiseerde pos aan sy adres te laat versend.'.

3. Artikel 2 van hierdie Ordonnansie word geag in werking te getree het op 1 Desember 1976.

Datum van inwerking-treding van artikel 2.

4. Hierdie Ordonnansie heet die Dorpsbeplannings-wysigingsordonnansie, 1977.

Kort titel.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 551

LECTURE 1